

Message Text

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ACTION SS-25

INFO OCT-01 ADP-00 SSO-00 /026 W

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P 181420 Z JUN 73

FM AMEMBASSY SAN JOSE

TO SECSTATE WASHDC PRIORITY 4320

C O N F I D E N T I A L SAN JOSE 2184

EXDIS

E. O. 11652: GDS

TAGS: PGOV, PFOR, CS

SUBJECT: EXTRADITION: ROBERT VESCO

1. EMBASSY WISHES REMIND DEPARTMENT THAT DOCUMENTS REQUIRED BY FIRST PENAL JUDGE TO PROCEED WITH THIS CASE INCLUDE (ARTICLE XI OF EXTRADITION TREATY) DULY AUTHENTICATED COPIES BF US WARRANT OF ARREST, DEPOSITIONS UPON WHICH SUCH WARRANT ISSUED, AND OF " SUCH OTHER EVIDENCE OR PROOF AS MAY BE DEEMED COMPETENT IN THE CASE". JUDGE HAS ASKED SPECIFICALLY IN THIS CONNECTION (SAN JOSE 2086) FOR EVIDENCE RELEVANT TO POINTS OUTLINED IN ARTICLE I OF TREATY, I. E.

(A) WHETHER CRIME IS ONE COVERED UNDER ARTICLE II, (B) WHETHER IT WAS COMMITTED IN THE JURISDICTION OF THE US, (C) WHETHER THE ACCUSED WAS WITHIN SAID JURISDICTION AT TIME CRIME WAS COMMITTED.

2. IN ADDITION, ODIO HAS RECOMMENDED (SAN JOSE 2058) THAT WE SUPPLY AUTHENTICATED COPIES OF ALL OTHER DOCUMENTS LISTED IN SECTION C OF ARTICLE VII OF COSTA RICAN EXTRADITION LAW NUMBER 4795 (TEXT TRANSMITTED IN SAN JOSE 2018). THIS WOULD APPEAR TO REQUIRE, IN ADDITION
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TO DOCUMENTS REQUIRED UNDER TREATY,
COMPLETE IDENTIFICATION DATA ON VESCO,
PRECISE INFORMATION ON LEGAL CHARACTER OF
CRIME, ALLEGED PARTICIPATION OF THE ACCUSED
AND SPECIFICATION OF THE APPLICABLE LEGAL
PENALTY AND " PRESCRIPTION".

3. MANY OF THE POINTS IN 1 AND 2 ABOVE
ARE TOUCHED UPON IN THE INDICTMENT AGAINST
VESCO, BUT EMBASSY DOUBTS THAT INDICTMENT
IS SUFFICIENTLY PRECISE ON SEVERAL OF THEM.
WE WILL SEEK ODIO'S ADVICE ON THIS POINT
BUT WOULD WELCOME INFORMATION SCOPE
OF OTHER DOCUMENTS AVAILABLE.

4. JUDGE HAS ALSO REQUESTED THAT ALL
DOCUMENTS BE PROVIDED IN SPANISH TRANSLATION
(SAN JOSE 2086). WE BELIEVE THIS IS A
REASONABLE REQUEST, AND THAT AS A PRACTICAL
MATTER SPANISH TRANSLATIONS ARE ESSENTIAL
IF WE ARE TO GET EXPEDITIOUS AND PRECISE
HANDLING OF THIS CASE. EMBASSY IS ABSOLUTELY
WITHOUT THE STAFF CAPACITY TO PERFORM THIS
TRANSLATION WORK, AND WE DO NOT BELIEVE THAT
ODIO IS CAPABLE OF IT EITHER. IT IS THEREFORE
ESSENTIAL THAT ALL DOCUMENTS BE TRANSLATED
IN US PRIOR TO DISPATCH.

5. FINALLY, ODIO HAS REQUESTED FULL TEXT
OF 1970 DECISION I THE CASE OF US VS.
BLASSINGAME (PARA 3 STATE 115745). HE
CONSIDERS THIS AN IMPORTANT POINT TO MAKE
HERE WHEN WE SEEK EXTRADITION ORDER.
VAKY

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*** Current Handling Restrictions *** EXDIS

*** Current Classification *** CONFIDENTIAL

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Disposition Approved on Date:
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30 JUN 2005

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